



7245 Barker

JAN 21 2004



JAN 21 2004



JAN 21 2004



JAN 21 2004



JAN 21 2004

Q.O.K

Q.O.K



JAN 21 2004



JAN 21 2004



JAN 21 2004



JAN 21 2004





COUNCIL AGENDA ITEM # ____ FOR
TUESDAY, JANUARY 27TH, 2004

BUILDING PERMITS AND INSPECTIONS

MEMORANDUM

January 20, 2004

TO: The Honorable Mayor and City Council

THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director

FROM: Tom Maguire, Housing Compliance Supervisor

SUBJECT: 7245 Barker Rd. (Rep. District #3)

The following is a brief chronology of the investigation of the referenced location:

- 1) First investigated August 19th, 2003. The building was found to be in an advanced state of disrepair. The building has been used as a harborage by unwanted persons.
- 2) A certified condemnation letter was mailed to Aurora Loan Services, Inc., ATTN: Claims Department, P. O. Box 1706, Scottsbluff, NE 69363-1706 on September 5th, 2003.
- 3) Certified notices of the public hearing scheduled January 27th, 2004 were mailed to the owners and all interested parties on December 30th, 2003.
- 4) As of January 20th, 2004, there are \$2,298.24 owed in taxes.
- 5) There has been no response from the owner.

The Department recommends that it be found:

- 1) That the main structure condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That the building is not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- 3) That the structure's certificate of occupancy be revoked; and
- 4) That the structure can be repaired; and
- 5) That the main structure be secured within 30 days and maintain secure; and
- 6) That the premises be cleaned of all weeds, trash, and debris within 30 days and maintain clean.

6

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 27th day of January, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 7245 Barker Road, in El Paso, Texas, which property is more particularly described as:

Tract: 15B1A, Block 24, Ysleta Grant

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Aurora Loan Services, Inc., ATTN: Claims Department, P. O. Box 1706, Scottsbluff, NE 69363-1706, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

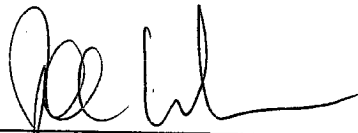
Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Adopted this 22nd day of December, 2003.

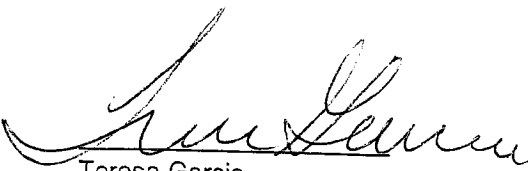
THE CITY OF EL PASO


Joe Wardy, Mayor

ATTEST:


Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:


Teresa Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:


R. Alan Shubert, P. E.
Director for Building Permits and Inspections

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING Jr.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

BUILDING PERMITS AND INSPECTIONS
CODE COMPLIANCE
September 5, 2003

Aurora Loan Services, Inc.
ATTN: Claims Department
P. O. Box 1706
Scottsbluff, NE 69363-1706

Re: 7245 Barker Rd.
Tract: 15-B-1-A
Blk: 24, Ysleta
Zoned: R-4
COD03-12270
Certified Mail Receipt #
7002 2030 0005 7056 2313

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

- a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or
- b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or
- c. Boarded up, fenced, or otherwise secured in any manner in if:

7245 Barker Road

- i. The building constitutes a danger to the public even though secured entry, or
- ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at 7245 Barker Road has the following violations:

- a. The structure is open and accessible to unauthorized entry.
- b. The structure needs to be secured from unwanted entry and ongoing vandalism, and the premises need to be cleaned of all trash and debris within thirty (30) days from receipt of this letter.
- c. In the event you fail to correct these violations within 30 days, the case will be submitted to the City Attorney's Office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated, secured, repaired or demolished as per Sec. 18.52.040.

If you have any plans, reports or current permits which pertain to the property, you must submit them prior to this hearing to Building Permits and Inspections or bring them to Council Chambers the day of the hearing. Without these documents, no extensions of the deadlines can be granted.

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

7245 Barker Road

Should you have any questions regarding this matter, please contact me at 541-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:

A handwritten signature in black ink, appearing to read "Wayne Fannin". The signature is fluid and cursive, with the first name "Wayne" written in a larger, more prominent script than the last name "Fannin".

Wayne Fannin
Building Inspector

WF/rl

7002 2030 0005 7056 2313

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Postage \$	SEP 05 2003 WF Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Aurora Loan Services, Inc. ATTN: Claims Department P. O. Box 1706 Scottsbluff, NE 69363-1706 Re: 7245 Barker Rd.	
PS Form 3800, June 2002 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: *WF*
 Aurora Loan Services, Inc.
 ATTN: Claims Department
 P. O. Box 1706
 Scottsbluff, NE 69363-1706
 Re: 7245 Barker Rd.

2. Article Number
 (Transfer from service label)

7002 2030 0005 7056 2313

PS Form 3811, August 2001

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature *Nancy Robinson* ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery
 SEP 09 2003

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

102595-02-M-1546

El Paso Fire Department
Fire Prevention

To: Building Inspector Supervisor
Department: Building Services, Code Enforcement
From: Anastacio Moreno, Fire Inspector
Date: October 1, 2003

Condemnation Report

Address: 7245 Barker
Legal Description: Block 24, Ysleta, Tract 15-B-1-A

Conditions Found:

	Good	Fair	Poor
Doors			XXXXX
Windows			XXXXX
Walls			XXXXX
Roof			XXXXX
Interior			XXXXX
Grounds			XXXXX
Other			XXXXX

Disposition: This structure is open and unsecured. There is
brush and overgrowth. There are several broken windows. some
rooms are vandalized and tagged. There are some burnt matches
inside structure.


Recommendations: This property is a life, health, and safety
hazard. Structure must be secured until demolition or needed
repairs can be carried out.

Attachments: _____

EL PASO CITY-COUNTY HEALTH & ENVIRONMENTAL DISTRICT

ENVIRONMENTAL HEALTH

M E M O R A N D U M

DATE: September 15, 2003
MEMO TO: Tom McGuire, Housing Compliance Supervisor
FROM: Jorge Ramirez, Sr. Environmental Health Inspector 
SUBJECT: Condemnation Report
RE: 7245 Barker Rd. 79915

An inspection of the property was conducted on September 15, 2003 and the conditions checked were found in violation of Title 9 - Health and Safety, El Paso Municipal Code.

SECTION 9.04 - SOLID WASTE STORAGE AREA:

N/A

SECTION 9.04.340 - ACCUMULATIONS:

N/A

SECTION 9.16 - NUISANCE:

N/A

SECTION 9.16.010 - DESIGNATED:

N/A

SECTION 9.28 - RAT CONTROL:

No health hazard noted.

If you require additional assistance on this matter, please call me at (915) 860-2378 or Fax (915) 860-1081.



UNSAFE STRUCTURES REPORT

BUILDING PERMITS AND INSPECTIONS

DATE OF EXAMINATION: 8/19/2003

REP. DISTRICT: 3

ADDRESS: 7245 Barker Road

ZONED: R-4

LEGAL DESCRIPTION: Tract 15-B-1-A, Block 24, Ysleta

OWNER: AURORA LOAN SERVICES INC.

ADDRESS: Attn: Claims Department
Scottsbluff, NE 69361-1706

BUILDING USE: Open and Abandoned Single Family Dwelling

TYPE OF CONSTRUCTION: V

FOOTINGS: Reinforced Concrete

CONDITION: Unable to determine due to the footing being under ground level and concrete sidewalk against the structure. Will need to hire a structural engineer to evaluate the actual condition of the footing.

FOUNDATION WALL: Reinforced concrete (Basement walls)

CONDITION: Unable to determine due to it being underground and covered. Will need to hire a structural engineer to evaluate the actual condition of the wall.

FLOOR STRUCTURE: Concrete slab on grade in basement and sections of the first floor, 2"X10" Wood Joists with sub-flooring in sections of first and second floor.

CONDITION: No visible signs of structural deficiency noted because floor is covered with carpet or vinyl floor covering. A structural engineer needs to be hired to determine the actual condition of the floor structure.

EXTERIOR WALLS: Conventional stick framing with brick, stucco or hardwood veneer.

HEIGHT: 19 feet

THICKNESS: 5.5 - 8 inches

CONDITION: Good – Will need a Registered Building Contractor to evaluate and submit a report on the condition of the exterior walls. There are no signs stress cracks.

7245 Barker Road

INTERIOR WALLS & CEILINGS: 2" x 4" wood studs with ½ inch sheetrock or stucco finish.

CONDITION: Good – There are no signs of stress cracks at this time, however, a building contractor will be needed to repair walls due to vandals and vagrants entering the property and vandalizing the interior walls.

ROOF STRUCTURE: 2" x 6" wood rafters with ½ " sheathing and roof shingles

CONDITION: Needs minor repair and maintenance.

DOORS, WINDOWS, ETC.: Wood framed doors and aluminum framed windows

CONDITION: Doors will need repairs or replacement; windows will need repairs and glass replacements for broken panes.

MEANS OF EGRESS: Meets minimum code requirements.

CONDITION: Needs to replace broken glass panes.

PLUMBING: Water is off – unable to inspect. A licensed plumber must be hired to evaluate the plumbing system and make the required corrections.

ELECTRICAL: Power is off. A licensed electrician must be hired to evaluate the electrical system and make the required corrections.

MECHANICAL: All HVAC systems must be evaluated by a licensed mechanical contractor and make required corrections.

IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED: None

WARNING POSTED: No

BARRICADED: No

POLICE AID REQD.: No

REMARKS: Vagrants and drug users are using this open and abandoned single-family dwelling as a place of harborage. They are slowly vandalizing the interior of the property. I recommend that the building be secured and maintained secured and that the premises be cleaned of all trash, weeds and debris.



Wayne Fannin
Building Inspector

20040120 TC8006 CITY OF EL PASO TAX OFFICE - ACCOUNT STATUS 093514

ACCOUNT Y805999024A1517 AMT DUE AS OF: 20040120 ROLL R ALT OWN
UNITS:01 05 06 07 08 61 - OMIT(-)/SEL(+) 61
AURORA LOAN SERVICES INC 24 YSLETA
ATTN: CLAIMS DEPARTMENT TR 15-B-1-A
PO BOX 1706 (0.1941 ACRE)

SCOTTSBLUFF		NE 69363-1706		PARCEL ADDRESS		7245 BARKER	
ACRES	.1941						
YEAR	GROSS VAL	HOVDFAER	RCVL LEVY	REM LEVY	FEES	PAYMENTS	TOTAL DUE
2003	75984		2298.24	2298.24		.00	2298.24
2002	75984		2271.20	06/23/2003	340.67	2611.87	.00
2001	75984		2236.83	10/03/2002	875.71	3112.54	.00
2000	75828	YY	1362.48	01/20/2001		1362.48	.00
1999	75828	YY	1351.85	12/20/1999		1351.85	.00
1998	75828	YY	1379.85	01/25/1999		1379.85	.00
1997	108784		3074.37	12/10/1997		3074.37	.00

TOTAL 2298.24 2298.24 .00

LAST PAYOR OWNER

PAGE TOTAL 2298.24

NOTE EXISTS

CUMULATIVE TOTAL 2298.24

ENTER NEXT ACCOUNT